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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
| 10/530,635 | 10/28/2005 | George C Konstantakis | 550637.90018 | 7503 |
| 7590 George C Konstantakis 7969 South Forest Meadows Drive Franklin, WI 53132 | | 03/12/2008 | | |
| EXAMINER | | | | |
| LUGO, CARLOS | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 3673 | | | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/530,635

Applicant(s)

KONSTANTAKIS ET AL.

Examiner

Carlos Lugo

Art Unit

3673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17-20 is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

1. This Office Action is in response to applicant's amendment filed on December 12, 2007.

Claim Objections

2. **Claims 1, 2, 8, 10, 13-16 and 19 are objected** to because of the following informalities:

- Claim 1 Line 9, change "at least one connecting element having a first end attached to the fulcrum" to -connecting elements, each having an end attached to the fulcrum-.
- Claim 1 Line 12, change "whereby a force of rotation of the lever in an unlocking direction may be conducted by the lever stop element through the fulcrum element against the shaft and through the connecting element to the stationary door structure" to -whereby, a force of rotation of the lever in an unlocking direction is conducted by the lever stop, through the fulcrum element, to the connecting elements to interfit with the stationary door structure in order to prevent opening of the door lock mechanism-.
- Claim 2 Line 2, change "element is sized" to -elements are sized-.
- Claim 8 Line 1, change "wherein the connecting element" to -wherein one of the connecting elements-.
- Claim 10 line 1, change "wherein the connecting element is an arm and includes" to -wherein the connecting elements are arms, wherein one of the arms includes-.

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- Delete claims 13 and 14.
- Claim 15 Line 2, change "and connecting element" to -and the connecting elements-.
- Claim 16 Line 2, Claim 1 Line 14, change "element" to -elements-.
- Claim 19 Line 2, change "the device" to -the lock assembly-.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

- The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. **Claims 1-16 are rejected** under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 1 recites that the child safety lock comprises at least one connecting element. However, it is unclear of how the safety lock would work with only one connecting element.

The applicant argues that the invention can be used in combination with a door lever that can be operated in one or in both directions. By having a lever that operates in only one direction, the device would only requires one connecting

element. By having a lever that operates in both directions, the device would require the other connecting element.

However, the claim language does not CLEARLY distinguish which type of lever is used so as to bring that conclusion presented by the applicant.

The claim language requires that the lever is prevented from any rotation when the connecting element contacts the stationary element.

In the event of having a lever that rotates in only one direction, it would only require just one connecting element, which will prevent the rotation of the lever in that direction.

In the event of having a lever that rotates in both directions, the device requires two connecting elements. If the device has only one connecting element, then is not capable of preventing rotation of the lever, as seen in attachment #1, since it would rotate in the other direction.

Therefore, the rejection is maintained until the applicant CLEARLY describes the invention. Appropriate correction is required.

Allowable Subject Matter

5. **Claim 1 would be allowable** if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 1st and 2nd paragraph, set forth in this Office action.
6. **Claims 2-12, 15 and 16 would also be allowed** because the claims depend from claim 1 (see 112 rejection and claim objection section).
7. **Claims 17-20 are allowed.**

Response to Arguments

8. Applicant's arguments filed on December 12, 2007 have been fully considered but they are not persuasive.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lugo whose telephone number is 571-272-7058. The examiner can normally be reached on 10-7pm EST.

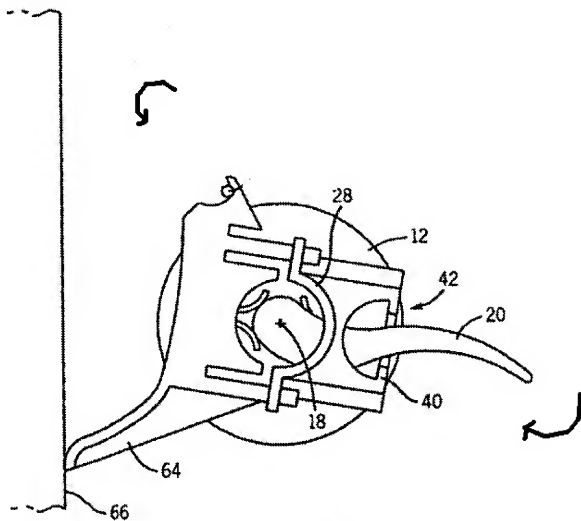
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patricia Engle can be reached on 571-272-6660. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Carlos Lugo/
Primary Examiner
Art Unit 3673

September 14, 2007.



attachment #1